

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 09-66230

DANIELLE JOHNSON,¹ *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DENYING DEBTOR'S "MOTION TO SEAL CHAPTER 7 CASE"

This closed bankruptcy case is before the Court on Debtor's motion entitled "Motion To Seal Chapter 7 Case" (Docket # 15, the "Motion"). In the Motion, Debtor seeks "to seal [her] Chapter 7 case pursuant to Rule 1005."² The Court will deny the Motion because it does not demonstrate any valid ground for sealing this case or any part of it.

11 U.S.C. § 107 states, in relevant part:

(a) Except as provided in subsections (b) and (c) and subject to section 112, **a paper filed in a case under this title and the dockets of a bankruptcy court are public records and open to examination by an entity at reasonable times without charge.**

(b) On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court's own motion, the bankruptcy court may--

(1) protect an entity with respect to a trade secret or confidential research, development, or commercial information; or

(2) protect a person with respect to scandalous or defamatory matter contained in a paper filed in a case under this title.

(c)(1) The bankruptcy court, for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual's property:

¹ Danielle Johnson is now apparently known as Danielle Burton.

² Fed.R.Bankr.P. 1005 is not relevant to the Motion.

(A) Any means of identification (as defined in section 1028(d) of title 18) contained in a paper filed, or to be filed, in a case under this title.

(B) Other information contained in a paper described in subparagraph (A).

(emphasis added).

Under 11 U.S.C. § 107, with certain limited and specific exceptions not applicable here, the records of this Court are public records, and cannot be sealed.³

Accordingly,

IT IS ORDERED that the Motion (Docket # 15) is denied.

Signed on February 06, 2015

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge

³ The Court notes that 11 U.S.C. § 303(k)(1), which provides, in relevant part that “the court, upon the motion of the debtor, shall seal all the records of the court relating to [an involuntary] petition [of an individual, which “is false or contains any materially false, fictitious, or fraudulent statement” and which has been dismissed], and all references to such petition” does not apply in this bankruptcy case -- it applies only in dismissed involuntary cases. This case was a voluntary case, and it was not dismissed.